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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/649,903	08/28/2000	Stefan O. Dick	P-1000	7709	
7:	590 01/31/2002				
Scott R Cox Lynch Cox Gilman & Mahan PSC Suite 2200			EXAMINER		
			GERRITY, STEPHEN FRANCIS		
400 West Market Louisville, KY 40202			ART UNIT	PAPER NUMBER	
,			3721	3721	
·		DATE MAILED: 01/31/2002			

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application Application Application Art Unit Stephen F. Gerrity 3721 A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION A show the period for reply specified show is less than thirty (30) days, a septy whith the statistication of the property is specified shown is less than thirty (30) days, a septy whith the statistication of the property is specified shown in the manner and the period to the property is specified shown in the manner and the period to the period of the period to reply specified show is less than their months after the mailing date of this communication, even if timely filed, may reduce any searned patient and adjustments. See 37 CFR 178(9), and period the period of the searned patients are selected and period to the period of the per	نم ☀							
Examin r Stephen F. Gerrity 3721			Application No.	Applicant(s)				
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Th. MAILING DATE of this communication appears on the cover sheet with the correspondence address Period f r Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extransions drin may be available under the provisions of 37 CFR 1.13(b). In ne event, however, may a reply be timely filed after 30 (c) IMONTH (S) may be used to be the provision of 37 CFR 1.13(b). In ne event, however, may a reply be timely filed after 30 (c) IMONTH (S) the maintenance of 37 CFR 1.13(b). In ne event, however, may a reply be timely filed after 30 (c) IMONTH (S) the maintenance of the communication of			Examin r	Art Unit				
Period f r Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extractions of time may be available under the provisions of 37 CFR 1.136(a). In ne event, however, may a reply be timely filled states of time may be available under the provisions of 37 CFR 1.136(a). In ne event, however, may a reply be timely filled states of time may be available under the provisions of 37 CFR 1.136(a). In ne event, however, may a reply be timely filled states of the provision o								
THE MAILING DATE OF THIS COMMUNICATION. Editaristics of tiles myle sea validable under the provisions of 3C PER 1.35(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication. If the period to reply specified above is test then they common and the provision of the provision of the period for reply within the station of the provision of the provisio		ILING DATE of this communication app	ears on the cover sheet with the c	orrespondence address				
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a □ accepted or b □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a □ approved b)□ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c)□ None of: 1.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.	THE MAILING - Extensions of time after SIX (6) MON - If the period for re - If NO period for re - Failure to reply with any reply received earned patent term	DATE OF THIS COMMUNICATION. e may be available under the provisions of 37 CFR 1.13 THS from the mailing date of this communication. ply specified above is less than thirty (30) days, a reply ply is specified above, the maximum statutory period w thin the set or extended period for reply will, by statute, I by the Office later than three months after the mailing	6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) day ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
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1) Notice of References Cited (PTO-892) A D Interview Summary (PTO-413) Paper No(s)								
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) (PTO-152) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other:	Notice of Refere Notice of Draftsp Information Disc	nces Cited (PTO-892) person's Patent Drawing Review (PTO-948) losure Statement(s) (PTO-1449) Paper No(s)	April April Interview Summary 5) Notice of Informal 6) Other:	y (PTO-413) Paper No(s) Patent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-17, drawn to a packaging container, classified in class
 206, subclass 719.
 - II. Claims 18-21, drawn to a process of for filling and shipping of a packaging container, classified in class 53, subclass 440.
- **2.** The inventions are distinct, each from the other because of the following reasons:
 - a. Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product as claimed can be used in a materially different process of using that product such as one in which the circuits are not baked.

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- Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- **4.** Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.
- **5.** Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- **6.** Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen F. Gerrity whose telephone number is (703) 308-1279. The examiner can normally be reached on Monday Friday from 6:30 3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on (703) 308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

> Stěphen F. Gerrity **Primary Examiner** Art Unit 3721

sfg January 31, 2002 -4-